

EXHIBIT 3

NON-IMPAIRED NON-VOTING STATUS NOTICE

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

EAST BROADWAY MALL,

Case No. 19-12280 -DSJ

Debtor.

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**NOTICE OF NON-VOTING STATUS TO HOLDER OF UNIMPAIRED CLAIMS
CONCLUSIVELY PRESUMED TO ACCEPT THE PLAN**

PLEASE TAKE NOTICE THAT on [●], 2023, the United States Bankruptcy Court for the Southern District of New York (the “**Court**”) entered an order (the “**Disclosure Statement Order**”), (a) authorizing Bank of Hope f/k/a BBCN Bank (“**Bank of Hope**” or “**Bank**”), secured creditor for the chapter 11 estate (the “**Estate**”) of the above-captioned debtor, East Broadway Mall (“**Debtor**” or “**EBM**”) to solicit acceptances for the *Chapter 11 Plan of Liquidation* (as may be modified, amended, or supplemented from time to time, the “**Plan**”);⁷ (b) approving the *Disclosure Statement for the Chapter 11 Plan of Liquidation* (the “**Disclosure Statement**”) as containing “adequate information” pursuant to section 1125 of the Bankruptcy Code; (c) approving the solicitation materials and documents to be included in the solicitation packages (the “**Solicitation Packages**”); and (d) approving procedures for soliciting, receiving, and tabulating votes on the Plan and for filing objections to the Plan.

PLEASE TAKE FURTHER NOTICE THAT because of the nature and treatment of your Claim under the Plan, **you are not entitled to vote on the Plan**. Specifically, under the terms of the Plan, as a Holder of a Claim or Interest (as currently asserted against the Debtors) that is not impaired and conclusively presumed to have accepted the Plan pursuant to section 1126(f) of the Bankruptcy Code, you are **not** entitled to vote on the Plan.

PLEASE TAKE FURTHER NOTICE THAT the hearing at which the Court will consider Confirmation of the Plan (the “**Plan Confirmation Hearing**”) will commence on **March 1, 2023, at 10:00 a.m.** prevailing Eastern Time, before the Honorable David S. Jones, in the United States Bankruptcy Court for the Southern District of New York, located at 1 Bowling Green, New York, NY 10004.

PLEASE TAKE FURTHER NOTICE THAT the deadline for filing objections to the Plan is **February 22, 2023** (the “**Plan Objection Deadline**”). Any objection to the Plan **must**: (a) be in writing; (b) conform to the Bankruptcy Rules, the Local Rules, and any orders of the Court; (c) state, with particularity, the basis and nature of any objection to the Plan and, if practicable, a

⁷ Capitalized terms not otherwise defined herein shall have the same meanings set forth in the Disclosure Statement.

proposed modification to the Plan that would resolve such objection; and (d) be filed with the Court (contemporaneously with a proof of service) and served upon the following parties so as to be actually received on or before **February 22, 2023:**

WINDELS MARX LANE & MITTENDORF LLP Counsel to the Bank of Hope James M. Sullivan 156 West 56th Street New York, New York 10019 (212) 237-1170	SFERRAZZA & KEENAN PLLC Counsel to the Debtor and Debtor In Possession Sarah M. Keenan 532 Broadhollow Road, Suite 111 Melville, New York 11747 (631) 753-4400 ext. 23
SYLVIA O. HINDS-RADIX Corporation Counsel of the City of New York Zachary B. Kass Senior Counsel 100 Church Street New York, New York 10007 (212) 356-2113	Office of the United States Trustee Southern District of New York U.S. Federal Office Building 201 Varick Street, Suite 1006 New York, NY 10014
LAW OFFICE OF RACHEL S. BLUMENFELD PLLC Counsel to Grace Chan Rachel S. Blumenfeld 26 Court Street, Suite 2220 Brooklyn, New York 11242 (718)858-9600	

PLEASE TAKE FURTHER NOTICE THAT if you would like to obtain a copy of the Disclosure Statement, the Plan, the Plan Supplement, or related documents, you should contact Windels Marx Lane & Mittendorf, LLP, counsel for Bank of Hope, the voting and claims agent in the Chapter 11 Case (the “**Voting and Claims Agent**”), by: (a) writing Bank of Hope f/k/a BBCN Bank (the “**Voting and Claims Agent**”) at no charge by: (i) writing Windels Marx Lane & Mittendorf, LLP Re: East Broadway Mall, 156 West 56th Street, New York, NY 10019; or (ii) via electronic mail to JSullivan@Windelsmarx.com. You may also obtain copies of any pleadings filed in the Chapter 11 case for a fee via PACER at: <http://www.nysb.uscourts.gov>.

This Notice is being sent to you for informational purposes only. If you have questions with respect to your rights under the Plan or about anything stated herein or if you would like to obtain additional information, contact the Voting and Claims Agent.

Dated: [●], 2023
New York, New York

/s/ DRAFT

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